

1
2
3
4
5
6
7
8
9
10
11
12
13
14

15
16
17
18
19
20

H.347

Introduced by Representatives Krowinski of Burlington, Burke of Brattleboro,
Cole of Burlington, Donovan of Burlington, Hooper of
Montpelier, Kitzmiller of Montpelier, Martin of Wolcott,
McCormack of Burlington, Mrowicki of Putney, Pearson of
Burlington, Rachelson of Burlington, Stuart of Brattleboro,
Sullivan of Burlington, Toleno of Brattleboro, and Woodward
of Johnson

Referred to Committee on

Date:

Subject: Elections; registration of voters; election day registration

Statement of purpose of bill as introduced: This bill proposes to amend voter
registration laws to allow a person to register to vote through the day of an
election.

An act relating to election day registration

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 17 V.S.A. § 2142 is amended to read:

§ 2142. REVISION OF CHECKLIST

(a) The town clerk shall call such meetings of the board of civil authority as
may be necessary before an election or at other times for revision of the

1 checklist. ~~At least one meeting shall take place after the deadline for filing~~
2 ~~applications and before the day of an election, unless no applications have been~~
3 ~~filed which could take effect before that election.~~

4 (b) Notice of a meeting, along with a copy of the most recent checklist and
5 a separate list of names which have been challenged and may be removed,
6 shall be posted in two or more public places within each voting district and in
7 the town clerk's office.

8 (c) A quorum of the board of civil authority shall be as provided in
9 subdivision 2103(5) of this title, and written notice shall be provided to each
10 member as established in 24 V.S.A. § 801.

11 Sec. 2. 17 V.S.A. § 2144 is amended to read:

12 § 2144. ~~DEADLINE FOR~~ SUBMITTING APPLICATIONS

13 (a) ~~The town clerk shall not accept applications for persons' names to be~~
14 ~~placed on the checklist after 5:00 p.m. on the Wednesday preceding the day of~~
15 ~~the election. The town clerk's office shall be kept open on the Wednesday~~
16 ~~preceding the day of the election from no later than 3:00 p.m. until 5:00 p.m.,~~
17 ~~for the purpose of receiving applications for addition to the checklist. For~~
18 ~~purposes of this subsection, a mail application or an application submitted to~~
19 ~~the department of motor vehicles in connection with a motor vehicle driver's~~
20 ~~license or an application accepted by a voter registration agency shall be~~
21 ~~considered to have met the filing deadline established by this subsection if the~~

1 application is ~~postmarked, submitted, or accepted by 5:00 p.m. of the~~
2 ~~Wednesday preceding the day of the election~~ On any day other than the day of
3 an election, the town clerk shall accept a person's application for his or her
4 name to be placed on the checklist at the town clerk's office during all normal
5 business hours.

6 (b) ~~If a person is not eligible to register prior to the voter registration~~
7 ~~deadline, but expects to be eligible on or before election day, he or she may file~~
8 ~~with the town clerk a written notice of intention to apply for addition of his or~~
9 ~~her name to the checklist. The notice shall be filed prior to the voter~~
10 ~~registration deadline, and the town clerk shall then accept the person's~~
11 ~~application at any time before the close of the polls on election day, and act~~
12 ~~upon the application forthwith~~ On the day of an election:

13 (1) A person may submit an application for addition to the checklist to
14 the presiding officer at the polling place of the town in which the person seeks
15 to register during the hours of voting established by the board of civil authority
16 for that polling place. In towns with more than one polling place, the polling
17 place shall be that which covers the area in which the person resides.

18 (2) The presiding officer shall review all applications submitted at the
19 polling place and shall approve those applications that meet the requirements
20 of this chapter. Upon approval, the applicant shall be added to the checklist at
21 the polling place and provided with the opportunity to vote in the election. The

1 town clerk shall add the information in the application to the statewide voter
2 checklist within three days of the day of the election.

3 (3) If the presiding officer cannot determine from an application
4 submitted on election day that an applicant meets the requirements of section
5 2121 of this chapter, the presiding officer shall immediately refer the
6 application to any members of the board of civil authority present at the polling
7 place, who shall meet immediately and proceed under section 2146 of this
8 chapter to determine whether the applicant meets the requirements of section
9 2121 of this chapter. For purposes of adding applicants to the checklist under
10 this subdivision (3), a quorum shall consist of three members of the board of
11 civil authority.

12 ~~(e) If a person is not eligible to register prior to the voter registration~~
13 ~~deadline, and has submitted a written notice of intent to apply in accord with~~
14 ~~subsection (b) of this section, the clerk shall, upon application, allow the~~
15 ~~applicant to vote absentee. If the application is approved and the name added~~
16 ~~to the checklist prior to the close of the polls on election day, the early or~~
17 ~~absentee ballots cast by that voter shall be treated as other valid early or~~
18 ~~absentee ballots.~~

19 ~~(d) In the case of annual meetings and towns that start their annual~~
20 ~~meetings on any day preceding the first Tuesday in March as authorized in~~

1 ~~subsection 2640(b) of this title, the “day of election” shall be the first Tuesday~~
2 ~~in March.~~

3 Sec. 3. 17 V.S.A. § 2144a is amended to read:

4 § 2144a. REGISTRATION

5 A person who desires to register to vote may apply in any of the following
6 ways:

7 (1) Simultaneously with his or her application for, or renewal of, a
8 motor vehicle driver’s license as provided in section 2145a of this ~~title~~ chapter.

9 (2) By completing a voter registration application at a voter registration
10 agency.

11 (3) By delivering, during regular hours, or mailing a completed
12 application form to the office of the clerk of the town in which the applicant
13 claims to be a resident.

14 (4) By completing a voter registration application and delivering it to the
15 presiding officer before the close of the polls at the polling place of the town in
16 which the person seeks to register. In towns with more than one polling place,
17 the polling place shall be that which covers the area in which the person
18 resides.

1 Sec. 4. 17 V.S.A. § 2145a is amended to read:

2 § 2145a. REGISTRATIONS AT THE DEPARTMENT OF MOTOR
3 VEHICLES

4 (a) An application for, or renewal of, a motor vehicle driver's license shall
5 serve as a simultaneous application to register to vote unless the applicant
6 declines to sign the voter registration portion of the application.

7 (b) The voter registration portion of the motor vehicle driver's license
8 application shall provide and request the information required to be provided
9 under section 2145 of this ~~title~~ chapter and shall be in the form approved by the
10 Secretary of State.

11 (c) An application for voter registration under this section shall update any
12 previous voter registration by the applicant. Any change of address form
13 submitted to the Department of Motor Vehicles in connection with an
14 application for a motor vehicle driver's license shall serve to update voter
15 registration information previously provided by the voter, unless the voter
16 states on the form that the change of address is not for voter registration
17 purposes.

18 (d) The Department of Motor Vehicles shall transmit voter registration
19 applications received under this section to the Secretary of State not later than
20 five days after the date the application was accepted by the Department, or

1 before the ~~close of the checklist for a~~ date of any primary or general election,
2 whichever is sooner.

3 (e) The Secretary shall promptly transmit applications received under this
4 section to the clerks of the appropriate municipalities.

5 Sec. 5. 17 V.S.A. § 2145b is amended to read:

6 § 2145b. VOTER REGISTRATION AGENCIES

7 (a) Each voter registration agency shall:

8 (1) ~~Distribute~~ distribute voter registration application forms approved
9 under section 2145 of this title-;

10 (2) ~~Assist~~ assist applicants in completing voter registration application
11 forms, unless the applicant refuses such assistance-; and

12 (3) ~~Accept~~ accept completed voter registration applications and transmit
13 completed applications to the Secretary of State not later than 10 days after the
14 date of acceptance, or before the ~~close of the checklist for a~~ date of any
15 primary or general election, whichever is sooner.

16 (b) The Secretary shall promptly transmit applications received under this
17 section to the clerks of the appropriate municipalities.

18 * * *

1 Sec. 6. 17 V.S.A. § 2145c is amended to read:

2 § 2145c. SUBMISSION OF VOTER REGISTRATION FORMS BY OTHER
3 PERSONS OR ORGANIZATIONS

4 Any person or any organization other than a voter registration agency that
5 accepts a completed voter registration form on behalf of an applicant shall
6 submit that form to the town clerk of the town of that applicant not later than
7 seven days after the date of acceptance, or before the ~~close of the checklist for~~
8 a date of any primary or general election, whichever is sooner.

9 Sec. 7. 17 V.S.A. § 2147 is amended to read:

10 § 2147. ALTERATION OF CHECKLIST

11 (a) Pursuant to section 2150 of this title, the board of civil authority or,
12 upon request of the board, the town clerk shall add to the checklist ~~posted in~~
13 ~~the town clerk's office~~ the names of the voters added and the names omitted by
14 mistake and shall strike the names of persons not entitled to vote. The list so
15 corrected shall not be altered except by:

16 * * *

17 (3) adding the names of persons who present a copy of a valid
18 application for addition to the checklist of that town ~~that was submitted before~~
19 ~~the deadline for applications~~ and who otherwise are qualified to be added to the
20 checklist;

